

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

BANCO POPULAR DE PUERTO RICO ET ALS.,	*	CV. 01-1142 (GAG)
PLAINTIFF,	*	
V.	*	
LAMCO/ACEMLA, ET ALS.,	*	
DEFENDANT.	*	

LAMCO/ACEMLA ET ALS.,	*	CV. 01-1461 (GAG)
PLAINTIFF,	*	
V.	*	
BANCO POPULAR DE PUERTO RICO, ET ALS.,	*	
DEFENDANT.	*	

MOTION TO AMEND/CORRECT DK. 337

TO THE HONORBLE COURT:

COMES NOW defendant/plaintiff, LAMCO/ACEMLA parties, through the undersigned attorney of record and respectfully states, alleges and prays the following:

1. On August 27, 2009, the appearing parties filed their Motion for Summary Judgment, at Dk 332, and submitted their Statement of Uncontested Facts (“Statement”) at Dk. 337. This Motion is only to amend/correct the identification of the Ex. 1 and Ex. 2 at Dk. 337 that made references to Docket 199, Exhibits 1, 2, 3 and to submit an omitted exhibit that is not found in the record mistakenly.
2. The appearing parties Statement at Dk 332, at page 2, paragraph 3,

has reference to the Statement's Exhibit 1, which is the BPPR Paulette Lavergne August 4, 1997 Letter to LAMCO Attorney Jorge Fernandez Reboledo. This motion amends to reference that Exhibit 1 to the Statement is found in the record at Dk. 199 Ex. 2/3, in addition to the Verified Complaint.

3. The Statement's Exhibit 2 reference, at page 3, paragraph 5 is submitted herein as it is referred to but is not found at Dk. 199, at Ex. 2 as indicated.

4. The submitted Exhibit herein is the Attorney Eugenio C. Romero Letter to BPPR Evelyn Vega, dated September 2, 1998, was reference in the Statement to Dk. 199 but was not part of the record. This exhibit was used by almost all parties, i.e., BPPR, Venegas as exhibits at the various depositions of Richie Viera (Ex. 13), LAMCO Raul Bernard, part 1 (Ex. 1) and BPPR Paulette Levergne (Ex. 6).

5. It is also found in the record with Venegas's Statement of Uncontested Facts at Dk. 338, Exhibit 5 as well.

WHEREFORE, plaintiff respectfully requests that this Honorable Court grant the Motion to Amend/Correct Dk. 337 due to the oversight when filing the numerous documents.

RESPECTFULLY SUBMITTED:

CERTIFICATE OF SERVICE: I HEREBY CERTIFY that a true and exact copy of the foregoing document has been filed with the Clerk of Court using the CM_ECF system that will served notice to all counsel and to all of the parties counsel at their address of record herein.

In Ponce, Puerto Rico, this 2nd day of September, 2009.

/s Mauricio Hernandez Arroyo

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